

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

| | | |
|--------------------------|---|------------------------|
| RONALD HOLLON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | CIVIL ACTION FILE NO.: |
| CSX TRANSPORTATION, INC. |) | 2:06-CV-1099-WKW |
| |) | |
| Defendant. |) | |
| _____ |) | |

**JOINT MOTION FOR ENLARGEMENT OF TIME TO CONDUCT SETTLEMENT
CONFERENCE AND FOR LEAVE TO CONDUCT SETTLEMENT
CONFERENCE BY TELEPHONE**

Plaintiff Ronald Hollon and Defendant CSX Transportation (“CSXT”) hereby respectfully request an Order enlarging the deadline to conduct the mandatory settlement conference until December 21, 2007 and granting the parties leave to conduct the settlement conference by telephone, rather than in person. This Motion is supported by the following:

1. Pursuant to the February 8, 2007 Uniform Scheduling Order issued by the Court, counsel for all parties are required to conduct a “face-to-face” settlement conference by December 17, 2007.

2. Plaintiff’s counsel and Defendant’s counsel have previously conducted face-to-face settlement discussions. However, due to scheduling conflicts, counsel for the parties have not been available to conduct a formal settlement conference.

3. Plaintiff’s counsel is located in Montgomery, Alabama; Defendant’s counsel is located in Atlanta, Georgia. Conducting the settlement conference telephonically will permit the parties to avoid incurring unnecessary travel costs.

4. This Motion is not being filed in an attempt to unnecessarily delay these proceedings, nor will it effect the discovery deadline or trial setting.

WHEREFORE, the parties respectfully request that the Court grant the requested extension of time and permit the parties to conduct the required settlement conference by telephone. A proposed Order is attached hereto for the Court's convenience.

This 18th day of December, 2007.

Respectfully submitted,

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/s/ Gary E. Atchison
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Attorneys for Defendant
CSX Transportation, Inc.

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ORDER REGARDING SETTLEMENT CONFERENCE

The parties' Joint Motion For Enlargement Of Time To Conduct Settlement Conference And For Leave To Conduct Settlement Conference By Telephone having been duly considered by the Court;

IT IS HEREBY ORDERED AND ADJUDGED that the parties' Joint Motion is granted. The parties shall conduct a settlement conference by telephone on or before December 21, 2007. Not more than five (5) days after this conference, counsel for the plaintiff shall file a pleading titled "Notice Concerning Settlement Conference and Mediation," as described in Section 3 of the Court's February 8, 2007 Uniform Scheduling Order.

SO ORDERED, this ____ day of December, 2007.

United States District Court Judge